IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)
TUESDAY, THE TWELFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 18565 of 2004

Between:

C.Narsinga Rao E.79407 S/o.Late Rama Rao

..... PETITIONER

AND

1 The Regional Manager, Karimnagar Region,

APSRTC, Karimnagar.
2 The Deputy Chief Personal Manager,

APSRTC, Karimnagar Zone,
Karimnagar.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of a writ of Mandamus, declaring the order No.E1/255 (16) 04: KR :2 Dt.2-9-2004 rejecting the petitioner claim for payment Stagnation/Special Grade increment as illegal, arbitrary and unjust and to set aside the same and to direct the respondents to restore the payment of Special grade/stagnation increment to the petitioner for the date on completion of 12 years of service and to pay arrears of increment.

Counsel for the Petitioner:MR.S.KRISHNA

Counsel for the Respondent No.: SMT.P.RAJANI REDDY

The Court at the stage of admission made the following :

ORDER:

The petitioner is working as Conductor in the respondents-Corporation. He contends that he has been working continuously for more than 12 years. Therefore, he is entitled to get stagnation increments on completion of 12 years of service. The petitioner further contends that though he made representations for release of stagnation increments, his request was not considered. The petitioner therefore approached this Court seeking to declare that he is entitled for stagnation increments on completion of 12 years of service, which he had already completed long prior to the date of the Writ Petition. A similar question arose for consideration in W.P.NO.5726 of 2000 and it was also considered in Writ Appeal No.1301 of 2000 by a Division Bench of this Court which was preferred against the order in the above writ petition and the Division Bench held that the employees, who have completed 12 years of service in the same category irrespective of their transfers, are entitled for stagnation increments and accordingly directed to consider the cases of the petitioners in the Writ Petition No. 5726 of 2000.

In the light of the circumstances explained by the petitioner and in the light of the judgment of a Division Bench in the above Writ Appeal, the respondents are directed to examine whether the petitioner completed the period of 12 years in the same category irrespective of his transfers and on satisfying that he completed 12 years of service, extend him, the benefit of the stagnation increments and pass appropriate orders within eight weeks from the date of receipt of a copy of this order.

The writ petition is accordingly allowed. No order as to costs.

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Dr. G. Yethirajulu, J.

Dt:12th October, 2004.

Rns.

To

1 The Regional Manager, Karimnagar Region,

APSRTC, Karimnagar.

2 The Deputy Chief Personal Manager,

APSRTC, Karimnagar Zone,
Karimnagar.

3 Two CD copies.